1: Braham S-4 (no date) 1954 ED1 Rumania ED1

p.418

THE NEW CONSTITUTION OF RUMANIA

642
829

The new Constitution of the People's Republic of Rumania of September, [illegible] will in all probability become a landmark in the constitutional history

1: Braham S-4 (no date) 1954 ED1 Rumania ED1

of the Soviet world. It is the first document to reconcile the conflict hitherto existing between the satellite constitutions and two Soviet official theories: the one, relating to the essence and character of the "New Democracies," emphasizes in its latest version the substantial identity of the political and economic structures of the two types of "Soviet" and "popular" democracies; the other, the Soviet theory on constitutional law, supports the thesis that there can be no divergence between constitution and society in a "socially advanced and progressive" state. Previous satellite constitutions, however, in contradiction to Soviet legal theory that the constitution is a mirror reflecting changing reality—the legal crystallization of existing arrangements—did not correspond to the fundamental changes occurring in the state.

The new Rumanian Constitution,[1] however, assumes to reflect the enormous transformations that have taken place in the political and socio-economic life of the country since March, 1948, when the first Constitution of the People's Republic of Rumania was adopted. In the interval, the means of production, transportation, and banking have been nationalized; the "socialist sector" of agriculture has been widened by the ever-growing influence of the state through the establishment of state farms ("sovchozi") and tractor stations; collectivization of land has been consistently pursued through a policy aiming at the elimination of the "kulak" elements and the support of the lower and middle strata of the peasantry; two monetary reforms have completely changed the financial status of the population—while the leu has been stabilized and pegged to the ruble, the people have been deprived of their savings; the structure and functions of the central and local governmental agencies and of the judiciary has gradually developed along Soviet lines; the opposition has been eliminated and the rank-and-file of the Communist Party purged of "unreliable" or "deviationist"elements.

The new Constitution, as a whole, very closely approximates to its Soviet prototype. While the Constitution of 1948—advanced as it was at the time from the Soviet legal point of view—preserved some outward manifestations of "bourgeois constitutionalism," particularly in its technique and its neo-latin legal style, the framers of the new Constitution carefully avoided

[1] The new Constitution of the People's Republic of Rumania was adopted by the Grand National Assembly on September 24, 1952. It differed little in substance from the original Draft submitted to the Assembly (March 27, 1952) by the Constitutional Commission headed by Gheorghe Gheorghiu-Dej, President of the Council of Ministers and Secretary-General of the United Workers' (Communist) Party. Out of the 18,836 "suggestions for amendments" offered by the population, only 34 were accepted. Of these 28 were primarily editorial, 2 changed the composition of the Council of Ministers, one stipulated the tax-levying authority of the Grand National Assembly, and one provided for the inclusion of the initials RPR (Rumanian People's Republic) in the country's emblem. Two amendments, however, were more significant. One eradicated the peasantry's personal property rights, granted in the Draft, to the land and farm implements which they brought into the collectives; the other, seeking to dissipate the democratic world's allegations that the country had obviously become a "Soviet province," purports to establish the principle of complete sovereignty by the inclusion of the provision that Rumania is a "unitary, sovereign, and independent" state.

1: Braham S-4 (no date) 1954 ED1 Rumania ED1

642 these "antiquated" forms and sancrosanctly adopted the constitutional tenets of Stalinism.[2]

Compared to the earlier document the new Constitution contains certain features which seem to corroborate the complete Sovietization of the country. In fact, were it not for political expediency in the field of foreign affairs, the incorporation of the People's Republic of Rumania into the USSR as a constituent member would be only a matter of sheer formality, necessitating merely the amending of the USSR Constitution.

[648] Short of this final step, however, the new Rumanian Constitution provides, in an almost unique manner in constitutional law, for the freezing of Rumania's foreign policy by incorporating in the text friendship and alliance with the USSR. Whereas the former Constitution completely failed to mention the USSR, the present document refers to the Soviet Union and the Red Army not less than five times. The USSR is depicted as the liberator of the country, whose friendship ensures "the independence, state sovereignty, development, and flourishing" of Rumania (Paragraphs 2 and 4 of the Introductory Chapter and Article 3).

[565] The basic features of the new society are outlined in Chapter I. It defines the People's Republic of Rumania as a "state of the working people of town and countryside" (Article 1). The political foundation of the state is the "alliance of the working class with the working peasantry . . . in which the leading role is held by the working class" (Article 2). Thus, for the first time in a Rumanian constitution, the preponderance of the working class is formally acknowledged. Furthermore, the central strategic position of the Communist Party and its implicit identification with the state is, as in the USSR, legally declared (Article 86). In fact, notwithstanding the discrepancies existing between the constitutions of the people's republics, their main difference from the Stalin Constitution has thus far concerned the legal position of the Party. Whereas Article 126 of the USSR Constitution openly refers to the Party as the vanguard in "the struggle to strengthen and develop the socialist system," the satellite constitutions typically make no mention of its role. The Hungarian Constitution of 1949, which until lately was considered as the most advanced, faintly refers to it in Article 56. In reference to the right of organizing, this Article asserts that the state "in fulfilling its tasks . . . bases itself . . . on the working class, led by its *advanced guard* (emphasis supplied) and supported by the democratic unity of the whole people." Even the new Polish Constitution of 1952 fails to acknowledge the exclusive role of the Communist Party. Although the provisions of Article 72 have merely theoretical importance, as

665
642

642 [2] In fact, all component chapters of the Constitution proper—the Social Structure, the Supreme Organ of State Power, the Organs of State Administration, the Local Organs of State Power, the Courts and the Prosecutor's Office, the Fundamental Rights and Duties of Citizens, the Electoral System, the Arms, Flag and Capital of the Rumanian People's Republic and the Procedure for Amending the Constitution—have an equivalent in the Soviet Constitution. Indeed, some of the articles have been copied verbatim.

1: Braham S-4 (no date) 1954 EDI Rumania EDI

in practice no open opposition is permitted in Poland, they nevertheless "legalize" the existence of other political organizations.

The constitutional legalization of the Communist Party's exclusive control of state power in Rumania is based on the contention that with the complete eradication of the active opposition in the country the Party no longer needs to hide under the paraphernalia of tactical secrecy. The Party's "legal" control of the state apparatus is assured by its exclusive right to nominate candidates in the elections of deputies to the Grand National Assembly (Article 100). This control is further facilitated by the provisions of the new Electoral Law restricting the right of certain groups of people considered inimical to the regime to participate in the national elections. In this respect, the 1936 Constitution of the USSR (Article 135) is more liberal; it removed all discriminatory provisions—religious, economic, and political—formerly applied against non-Bolsheviks. This distinction is based on the supposition that, unlike the USSR, Rumania as well as the other popular republics, advanced as they are, are still in the presocialistic stage of development, which necessitates an incessant waging of the class-struggle against the "enemies of the working class."

Theoretically, the people exercise their power through duly elected organs, the Grand National Assembly and the People's Councils. These, in turn, appoint the necessary administrative and judiciary bodies, the Presidium, the Council of Ministers, the higher echelon of the judiciary, and the Executive Committees of the People's Councils respectively. Though the constitutional theory of exclusive legislative power in the Grand National Assembly is constantly maintained, Soviet and satellite legislative history reveals the preponderance of the Council of Ministers. While the Council is formally appointed by, and theoretically subordinate to, the Grand National Assembly, its members in reality are chosen by the Central Committee of the United Workers' (Communist) Party from among its leading functionaries. The primary function of the Council of Ministers is to effectuate the policies of the Party through the vast bureaucratic apparatus it controls; that of the Grand National Assembly is the ratification of governmental decrees.

Justice in the People's Republic of Rumania, according to the new Constitution, is administered by the Supreme Court, the Regional Courts, the People's Courts, and the Special Courts. Their main function is the defense of the political regime and the protection of communal property and of the rights of citizens (Article 65). Unless otherwise provided for by law, all judicial cases are tried with the participation of people's assessors (Article 66).

The supreme supervisory power over the observance of law by all central and local governmental organs of state power and administration as well as by all officials and citizens is vested in the Procurator General of the Rumanian People's Republic (Article 73). He is appointed by the Grand National Assembly for a term of five years, and he in turn, appoints his deputies and the procurators of the local units for a term of four years (Article 74). Whereas the organs of the Procurator's Office are independent of all local governmental

agencies, being subordinate only to the Procurator General, the latter is responsible to the Grand National Assembly, and in the interim between its sessions, to the Presidium (Article 75).

The powers and functions of the Procurator General are specified by Law No. 6 of June 2, 1952, concerning the "Setting up and Organization of the Procuratura of the Rumanian People's Republic." The Procurator General has the right to take part, "with a consultative vote," in the meetings of the Presidium and of the Council of Ministers (Article 4). He is empowered to see to it that the decisions and rules issued by the central and local agencies of state power and administration conform with the laws of the country. Charged with the administration of justice, he supervises the activities of the agencies of penal investigation; he may ask for the dossier at any stage of the investigation, and has the right to "issue compulsory instructions with regard to the development of penal investigation and inquiry and to be present at any act of penal investigation or to carry it out himself" (Article 7, Paragraph a).

The Supreme Court, whose chief function is the supervision of the judicial activities of all the courts (Article 72), is elected by the Grand National Assembly for a term of five years (Paragraph 1 of Article 67). The judges, theoretically independent and subject only to the law (Article 70), and the people's assessors are elected in accordance with the provisions of a special law (Paragraph 2 of Article 67). All judicial proceedings are conducted in the Rumanian language, with special provisions for the use of other languages in areas inhabited by compact groups of other nationalities or minorities. Persons not knowing the language in which the judicial proceedings are conducted are constitutionally guaranteed the right to acquaint themselves with the material of the case and the privilege to use their own language in the summation of their case (Article 68).

Unlike the Supreme Court of the United States, the Supreme Tribunal of the People's Republic of Rumania, like its Soviet counterpart, has no power of constitutional interpretation and is more of an auxiliary than an independent branch of government.

The constitutional provisions regarding the administration of justice, however "progressive" they may sound, conceal the true nature of the Marxist-Leninist concept of justice, which has been adopted by the People's Republic of Rumania as well as by the other countries in the Soviet orbit. The modern principles of penal law (*"nullum crimen sine lege; nulla poena sine lege"*) applied and observed in all civilized countries, have been replaced by the concept of "class-justice." Marxist doctrinaires assert that the purpose of "proletarian class justice" is the maintenance of the regime of the dictatorship of the working class and the complete elimination of all "reactionary" and "anti-democratic" elements.

Although the principle of "class-justice" has not been embodied in the two Rumanian constitutions framed under the regime of popular democracy, it nevertheless has found clear expression in Law No. 5 passed by the Grand

church). The Romanian church has become independendent from this Patriarchy only as a result of a long and complex process which began when the independent Romanian State came into being in 1859 as "the United Romanian Principalities." The first constitution of the kingdom of Romania of 1866 stated (Article 21) that "the Romanian Orthodox Church is independent." But the recognition of its autocephaly by the Patriarchy of Constantinople was declared only in 1885. Nevertheless, the Romanian Church has continued to maintain its unity with the ecumenical church of the East. This relation was, however, confined to the purely religious aspect. The Romanian church considered to be its duty to consult Constantinople Patriarchy on difficult questions of dogmas, canons, and cults whenever it was necessary.

Thus, it may be observed that the independence of the Romanian church was a consequence of the political independence of the Romanian State. The independence of the church signified the achievements of the sovereignty of the Romanian people and the church organization rendered important help and support to the incipient state.

The Romanian clergy took part in the government administration and in political life. The clergymen could be elected to the parliaments and seats in some important governmental bodies were reserved to it. This was rather a consituation of the established tradition because in the past the representatives of the clergy had always been counsellors of the "domnitor" (the ruler) and members of the "Sfatul Tarii" (country's Assembly).

000
795
642
115

(the ruler) and members of the "Sfatul Tarii" (country's Assembly). In general, the Romanian Orthodox Church has been since the foundation of the "United Principalities" in 1859 considered the predominant church and had a prioity over other churches. This situation continued when the Kingdom of Romania was formed after 1866 (hereafter called Old Kingdom in contrast to Romania after 1919). Nevertheless, the religious practices of other churches were tolerated and undistrubed. The Romanian Orthodox Church did not consider itself universal, was not animated by any spirit of proselytism and was rather passive and tolerant towards other creeds and rites. For this reason and because of the small number of persons professing other religions in the Kingdom of Romania, the situation did not call for any special legislation on freedom of religion prior to World War I.

[798]

II. From World War I to the End of World War II

1. General Regime of Churches

651

The necessity for special legislation regulating the status of churches other than the Romanian Orthodox has arisen after World War I.

175
671

The Romanian Kingdom emerged after World War I with an enlarged territory. The newly incorporated provinces were hitherto governed by different laws. Bulgarian law prevailed in Banat and Maramuresh, the same law with some specific provisions was also in force on Transylvania; Austrian law was

175 in force in Bukovina and the Russian law, with some specific
671 local rules, was in force in Bessarabia.

175 The population of the newly incorporated provinces was
162 predominantly Romanian but, in view of the long separation from the Old Kingdom, was somewhat different. Moreover, there were also other ethnological groups and a variety of churches and even sects.

The population of Transylvania and Banat, for instance, was divided mainly among the Roman Catholic and Protestant Churches. The population of Bukovina and Maramuresh was either of Catholic (Uniates) or Orthodox religion and had an important Jewish minority. In Bessarabia, in addition to the Eastern Orthodox Church, there was a real conglomerate of creeds and and rites, many of them originating back in the 17th century and subsequent reforms of the Russian Orthodox Church.

659 A new Constitution was adopted in 1923. It declared
[642] the principle of freedom of religion which needed to be developed in details and put into effect by special laws. This did not follow immediately but, instead, the Romanian Government carried out, in 1925, the unification and hierarchical reorganization of the Romanian Orthodox Church (see infra).

This step increased the pressure of the numerous other churches and rites practiced within the new frontiers. They intervened seeing that their status be defined and that their relations with the higher church authorities abroad, as well as with the Romanian State and the Orthodox Church, be settled by

III. Churches under the Communist Regime

1. Basic Provisions

175
642 Although Romania has been ruled by Soviet Russia since its surrender in August 1944 and is actually governed by a Communist Cabinet appointed by Moscow in March 1945, the beginning of the Communist regime is set as of January 1, 1948, e. g., after the King's abdication and the creation of a People's Republic, since the main revolutionary social reforms have been enacted after that date.

648
798 Romania signed and ratified the Peace Treaty with the Allied Nations (Official Gazette No. 199 of August 30, 1947). According to clear stipulations of the treaty Romania is bound to translate into national legislation its main provisions and apply them strictly. Article 3 of the Peace Treaty reads:

> "Romania shall take all measures necessary to secure to all persons under Romanian jurisdiction, without distinction of race, sex, language or religion, the enjoyment of human rights and fundamental freedoms, including freedom of expression, of press and publication, of religious worship..." (Italics supplied.)

The freedom of religious worship was, therefore, considered as a fundamental one and the Romanian Government was supposed to make no discrimination between the different churches of rites of various denominations existent and practiced within its boundaries.

642
798 The first attempt to comply with these provisions was made through the new Romanian Constitution enacted on April 11, 1948.

642 Article 27 of this fundamental law reads as follows:
798
794

Article 27

Freedom of conscience and freedom of religious worship shall be guaranteed by the State.

Religious creeds shall be free to organize themselves and may freely function provided their ritual and practice are not contrary to the Constitution, public security and morality.

No religious denomination, congregation or community may open or maintain institutions for general education, but may only run special schools for training personnel necessary to the cult under State control.

The Romanian Orthodox Church is autocephalous and unitary in its organization.

The way of organizing and functioning of the religious creeds will be established by law." (Italics supplied.)

Consequently, three main principles are to be retained:

a) The freedom of religious worship is guaranteed by the State;

b) The organizing and functioning of religious creeds is, with specified exceptions, free;

c) The various creeds are entitled to run special school for training their clergy.

However, these constitutional provisions do not reflect the true situation which will be brought to light only after the analysis of laws later enacted and analyzed in subsequent chapters.

2. The Regime of the Religious Denominations

A. General Survey

659 After World War II. the original law for the regulation of the religious creeds (No. 54 of 1928) sufforod only one major

to the curricula approved by the government, an important place is given to three special subjects of "general education", viz., Constitution and law of the Romanian People's Republic, Russian language, and History of Russian Theology. 659 871 793

By the Order No. 42,898 (Official Gazette No. 226 of November 15, 1948) the curricula were approved for the divinity schools of the following denominations: Greek Orthodox, Protestant (including Evangelist, Reformed and Unitarian), Jewish, Baptist, Adventist and Moslems. No mention is made of any curricula for the Roman Catholic Divinity Schools. The same is true of the "Christian Church of Old Rite" but for a different reason (see infra).

3. Status of the Romanian Orthodox Church 659 795

No new general law on the Romanian Orthodox Church was enacted and it continues to be regulated by the provisions of the Law for the Organization and Unification of May 6, 1925, as amended, since 1947 (see infra). Yet, an interesting question seems to remain open; viz., is it still the dominant church in the State, e. g., the National Church or not? As it has been mentioned previously, the Organic Law of 1925 provided that, since the Greek Orthodox Creed is the religion of the majority of the Romanian people, the Romanian Orthodox Church is dominant in the country. The new amendments of the law of 1925 did not directly affect this provision. But this principle has been taken from the old Constitution of 1923 which, in Article 22, paragraph 4, specifically stressed its role as a 659 795 642

659
795
642

national church. The old Constitution has been repealed and replaced by the Constitution of April 11, 1948 and its Article 27, paragraph 4, provides only that "the Romanian Orthodox Church is autocephallous and unitary in its organization." Article 16 of Decree No. 177 of 1948 has similar provisions. However, no mention is made in the new regulation of religious creeds as it was done in the repealed Law No. 54 of 1928 that the Romanian Orthodox Church shall also be directed by its principles, provided they are not contrary to its organic law.

659
795

There are strong reasons to believe that the Romanian Orthodox Church is no longer considered a national church since such status is based on the text of an ordinary law which only implemented a constitutional provision no longer in force. According to the new Constitution and more recent legislation, it appears rather that the Orthodox Church is only one of the recognized denominations and is on an equal footing with the others. This treatment could be the result of the revival of the old Russian Church in Romania (infra) that would not accept a second-rank role in a satellite country.

The contradiction between the new constitution and the Law of 1925 may be explained by the fact that the present government did not yet come to revise all the laws in order to bring them in harmony with the new Constitution. Only the following amendments of the Law of 1925 were enacted thus far.

The Law No. 167 of May 30, 1947, changed the procedure in filling the vacancies in membership of the Diocesan Councils.

3: Roberts S-- (no date)1951 ED1 Rumania ED1

175 partly out of fear of Russian intervention, enjoined the peasants to shun violence and to continue working for the boyars.

Similarly, critics of conditions provoking the 1907 revolt show concern for Rumania's position as a nation. Radu Rosetti, for example, believed the threat of foreign intervention which such an outbreak might produce to be one of the most dangerous features of the peasant uprising. Despite his sympathy for the peasants and desire for reform, he pressed for a strong army and an increase in the village gendarmerie, to prevent a repetition of the disorders of 1907 and to show the peasants that the law would be enforced.[27] The socialist Dobrogeanu-Gherea, approaching the question from a different point of view, was equally anxious to maintain Rumania's independence. Fearing that the many similarities between Rumania and tsarist Russia might lead the latter to "regard the Moldo-Wallachian provinces as an easy prey," [28] he urged that Rumania must be protected from tsarist advances by the introduction and preservation of liberal institutions, completely unlike those of Russia. The populist Constantin Stere flatly stated that Rumania could not afford the "luxury of a revolutionary party," since in Rumania's uncertain position such activity invited foreign intervention.[29]

Consequently, although many economic and social tensions disturbed Rumania, and it was obvious that the boyars would not on their own initiative undertake any reforms likely to change the established order, there was little organized revolutionary activity or even revolutionary thinking. On the other hand, the prevalent sense of national insecurity also made the ruling groups more cautious in the exercise of power. King Carol I, a German prince who had been called to the throne in 1866, could not pretend to be an autocratic tsar. On more than one occasion the king, for reasons of national interest, advocated reform and undertook to soften the obstinacy of the boyars, who were likewise sensitive to real pressure from above or below and frequently showed themselves accommodating and flexible when threatened with serious resistance.

•642 Rumania's weak power position led many of its political leaders to seek both political and ideological support from the West. Western political and constitutional forms were adopted wholesale: the Constitution of 1866 was based on Belgium's model, the legal system was taken from the Code Napoléon. Imitation of Western institutions had two different and contrary results. On one level, many

27. Rosetti, *op. cit.*, p. 668.
28. Dobrogeanu-Gherea, *op. cit.*, p. 45.
29. Constantin Stere, "Socialdemocratism sau poporanism," *Viaţa romînească* (January, 1908), p. 50.

3: Roberts S-4 (no date)1951 ED1 Rumania ED1

642 of these institutions naturally became mere façades to conceal a much
665 cruder reality. Party politics, for example, bore a very superficial resemblance to those of nineteenth-century England: two principal parties, the Liberals and the Conservatives, alternated in office. But the reality behind this two-party system was altogether different. Politics were based on a very narrow franchise,[30] the parties themselves tended to be coteries surrounding a dominant personality or family, and there were constant factions and party splits. Both the Conservatives and the Liberals obtained their support from the landowners, the principal distinction between them being that the Conservatives were usually the explicit spokesmen of the large agrarian interests, whereas the Liberals were increasingly interested in making Rumania a strong modern (i.e., commercial and industrial) state and held the controlling positions in the growing financial institutions.

671 In the field of law the Rumanians demonstrated what Dobrogeanu-
177 Gherea correctly called a "mania for legislation." A flood of laws was continually being passed—elegantly rendered by men who had taken their law course at Paris—but with remarkably little effect. Some were inapplicable at the outset, few were administered properly, and most were soon forgotten by all concerned, with no effort made to examine their consequences. Other examples could be cited from the fields of public finance, civil rights, and the press to illustrate the abyss lying between political and constitutional forms and actual practice. The persistence of this dualism right up to the 1940's has undoubtedly had a corrupting effect upon Rumanian politics and society.

566 Notwithstanding these contradictions, which have struck all for-
177 eign observers in the past century, the very introduction of Western paraphernalia had certain important positive effects. A peasant who had been inducted, under universal conscription, into the army, who could read in the press (or have read to him) about agrarian disturbances in Sicily, Ireland, or Russia, or who heard the charges and countercharges of the political parties, however rhetorical these may have been—such a peasant was moving out of the closed circle of the village. This is evidenced in the active role played by ex-army ser-
185 geants, clerks, and schoolteachers in the 1907 uprising. Moreover,
177 the mere existence of constitutional and legal devices, however inoperative they may have been, provided potential channels for change and increased the flexibility of the existing order. Thus, in spite of the fact that changes were apt to prove illusory rather than real,

30. A system of electoral colleges, rather like that of Prussia before 1918, assured a preponderant strength in the assembly to the landowners and the wealthy urban groups.

3: Roberts S-4 (no date)1951 ED1 Rumania ED1

565 665 inhabitants, they had remained a field for partisan skirmishes among the different factions of the boyars and the growing financial and industrial interests. The limited ambit of politics was not, however, altogether the responsibility of the boyars, though most of them certainly cannot be charged with equalitarian leanings.

829 642 621 Much has been written in Rumania on the primitive state of the peasant, his inability to govern himself, and the necessity for his gradual, supervised initiation into the mysteries of government. While such writings often conceal an *arrière pensée*, they contain one element of truth: the economic role of the peasant, as a relatively self-contained and self-sufficient producer, does confine the orbit of his interests to his village. This limitation of interests has nothing to do with any shortcomings on the part of the peasant, but merely means that his economic and social life does not extend into many of the fields which comprise the necessary activities of modern governments. The immediate and obvious wishes of the peasant—such as more land, more lenient credit, and lower taxes—cannot be the satisfactory basis of a political program unless they can be related to some means of realizing them. The possibility of their direct and immediate fulfillment in Rumania was limited; the indirect measures which could ultimately improve his status—the over-all increase of the nation's productivity and capital—involved questions quite beyond his understanding as a peasant, if not as an individual.

565 In all states there is a gap between the desires of the average voter and the complexities of economic and administrative activity; in Rumania this gap was accentuated by the fact that almost four-fifths of the population was of the peasantry. Moreover, since such a large percentage of the population was devoted to one occupation, there was relatively little scope for the diversified play of economic and social interests in politics such as characterizes a more advanced society. Rumanian writers, regretting the division of their society between a formless mass of peasants and an oligarchic ruling group, have perennially pined for the emergence of a middle class. During the interwar period the base for political activity broadened somewhat through increasing industrialization, through the growth of a more numerous middle peasantry, and through strong regional interests in the new provinces, but the great bulk of the electorate was still the poor peasantry, whose chief historical means of declaring its wishes had been in sporadic and unsuccessful uprisings.

660 Partly for these reasons the extension of the suffrage after the First World War did not lead to political democracy. Politics, which retained a distinctly Phanariot flavor, was the art of taking advan-

3: Roberts S-4 (no date)1951 EDI Rumania EDI

In March, 1922, the Liberals made an election in which they contrived to win 260 seats, as against 17 in the 1920 elections (General Averescu's party dropped to 11 seats). The opposition parties challenged the validity of the elections and withdrew from parliament.

A sharp controversy arose over the coronation of King Ferdinand on October 15, 1922. The opposition parties contended that the coronation should be sponsored by a coalition of all parties. Despite the fact that the coronation was held in the Transylvanian town of Alba Iulia to celebrate the unity of all Rumanian lands, the Transylvanian National party boycotted the ceremony.[8]

When the Liberals called for the March, 1922, elections they announced that one of the main tasks of the new assembly would be the preparation of a new constitution. Following the coronation, they proceeded to push through this act in the session opening in November. The legality of such a one-party procedure was denied by the opposition as contrary to the guarantees of autonomy in the original contracts made between the representative bodies of the new territories and the government of the Old Kingdom.[9] The opposition parties temporarily attended the parliamentary debates on the constitution, but the tumultuous sessions did not block its passage in March, 1923.

The 1923 Constitution was based on that of 1866, which it followed in many respects.[10] Because of the acquisition of such extensive new territories, a new constitutional document was deemed necessary. The following are some of its more controversial points:[11]

8. It is illustrative of the antagonism created by the centralizing policy of the Liberals that none of the chief figures responsible for the union of the new provinces with the Old Kingdom was present at the Coronation.

9. The arbitrary action of the Liberals was particularly resented in Transylvania, where the National party was undoubtedly the strongest political group. The regional autonomy of the province had already been infringed upon when General Averescu quite illegally abolished the Transylvanian Consiliu Dirigent in 1920.

10. The 1866 Constitution, closely patterned after the Belgian model, had been significantly amended on three occasions before 1923: 1) In 1879, in accordance with the stipulations of the Congress of Berlin, religious beliefs were removed as an obstacle to naturalization. This amendment was introduced to prevent the exclusion of Jews from citizenship. 2) In 1884 the number of electoral colleges for the chamber was reduced from four to three, thus broadening the franchise somewhat for the benefit of the growing urban middle class. 3) In 1914 the Liberals initiated measures for electoral and agrarian reforms. This work, which was delayed by the war, was carried out by the constitutional assembly in Iaşi in 1917. Article 19 was amended to permit land expropriation for purposes of agrarian reform; Articles 57 and 67 established universal suffrage and proportional representation for the chamber.

11. For a French translation of the text with commentary see F. R. and P. Dareste, *Les Constitutions modernes* (4th ed., 6 vols., Paris, 1928–34), II, 855 ff.; for a bibliography of Rumanian commentaries, *ibid.*, III, 223–226. An examination of some of its shortcomings was made by David Mitrany, "The New Rumanian Constitution," *The*

3: Roberts S-4 (no date)1951 EDl Rumania EDl

642

1) The first article ("The Kingdom of Rumania is a unitary and indivisible state") set the key for the centralist tendency of the constitution, which showed little evidence of the respect for local autonomy demanded by the new provinces.

2) Universal suffrage was limited to males. Article 6 stated that special laws would determine the conditions under which women could exercise political rights, but women did not receive the franchise for national elections until 1946.

3) The usual civil and political liberties were assured, but in many instances the assurances were qualified in such a manner as to permit their infringement, either by reference to state security or to special laws to be passed subsequently. For example, the right of association was guaranteed in Article 29, but the right of association did not imply the right to create legal entities. The conditions under which legal personality could be established were laid down in a separate law. In practice this severely limited the value of association, especially in trade union activities.[12]

4) Rural property could be owned only by Rumanian citizens (Article 18). Subsoil resources belonged to the state (Article 19). The latter article occasioned a great deal of foreign criticism as an example of the Liberals' economic xenophobia; it was also attacked by the peasant representatives as a means of defrauding the owner of land.

5) All power, according to the constitution, was derived from the nation through its delegates. The national assembly was bicameral: a senate and a chamber, the members of which were elected for a term of four years. All legislation had to pass both bodies. The chamber was elected by universal male suffrage, but the senate was composed of elected members and members by right. Senators were elected by citizens over forty years of age and by various professional bodies (municipal councils, chambers of commerce and agriculture, universities, etc.). Senators by right included: the heir to the throne, high church dignitaries, former presidents of the Council of Ministers, certain former senators and deputies who had served long terms, presidents of the supreme court of cassation, certain high military officers, and former presidents of the provincial national assemblies which had preceded the union.

Journal of Comparative Legislation and International Law, 3d Ser., 6, P. 1 (February, 1924), 110–119.

12. See the article by the International Labor Office, *Freedom of Association, Vol. IV: Italy, Spain, Portugal, Greece, Serb-Croat-Slovene Kingdom, Bulgaria, Rumania*, Studies and Reports, Ser. A: Industrial Relations, No. 31 (Geneva, 1928), pp. 876–888.

3: Roberts S-4 (no date)1951 ED1 Rumania ED1

6) District and local councils had both elected members and members introduced by the national assembly. The ratio of the two types of members was not fixed (in the original draft of the new constitution, appointed members were limited to one-fifth the total) and permitted an indeterminate amount of central control over local councils.

7) The powers of the crown, while confined to those enunciated in the constitution, were considerable and included the right to summon, prorogue, and dissolve the assembly, appoint and dismiss ministers, and sanction or veto laws. In many constitutional monarchies the crown has similar powers, which are formalized or limited by custom; in Rumania the crust of tradition was quite thin and the crown was actually in a position to exert a great deal of influence.

8) "In case of danger to the state, martial law, partial or general, may be established by means of a bill" (Article 128).

In summary, the constitution was relatively brief (138 articles), vague on many points, and left important details to be determined by subsequent laws. There were a number of loopholes whereby civil rights guarantees could be evaded and arbitrary executive action imposed. To be sure, in most constitutions qualifying clauses recognize the state's right to take exceptional measures for its own preservation, but whereas these exceptional measures are usually understood to be applicable only in cases of emergency, the situation in Rumania was such as to make exceptional measures—arrests without warrant, violation of privacy of correspondence, and prolonged states of siege—more or less standard practice. The omissions and evasions in the Rumanian constitution were of less importance than the spirit in which the document was interpreted.

Although the opposition parties hotly attacked the Liberals, denounced the new constitution, and boycotted the assembly, they were by no means united in their actions or purposes; in 1924 and 1925 there was a frequent regrouping of party alignments. The most important question was the course to be taken by the National party of Transylvania. All parties desired to gain the support of this well-organized body; since it had been formed as a regional Rumanian party in opposition to the Magyars, rather than on a social basis, its position in the political system of united Rumania was somewhat ambiguous. In 1920 General Averescu had tried without success to gain its adherence; when Brătianu came to power in 1922 he offered Maniu three portfolios in the cabinet but Maniu refused the offer.

In June, 1924, it was announced that the National party of Transylvania and the Peasant party had officially united, but shortly

3: Roberts S-4 (no date)1951 EDl Rumania EDl

were faced with a dilemma, partly of their own making. In the narrow political life of the Old Kingdom, with its restricted franchise and small ruling class, the Liberals had been most successful in retaining power for the greater part of Rumania's independent existence; with the Conservatives as a foil they were even able to appear as the supporter of progressive forces, and did indeed attract a number of peasant leaders and socialists into their ranks.

With the agrarian reform, however, and the appearance of a new electorate under universal suffrage, their situation became less comfortable. It was not that they were driven to the Right—on the whole their attitude showed a marked consistency—but that their actual policy now appeared in more obvious contrast to their theoretical principles. After the agrarian reform they could no longer pose as opponents to the boyars; they became quite clearly the advocates of industry as opposed to agriculture. Since the great majority of the population were peasants, universal suffrage was bound to produce mass parties opposed to the financial and industrial domination of the Liberals, whose only defense was a perversion of the electoral process. Under these circumstances, it is rather surprising that the Liberals should have been the agents for the introduction of both the agrarian reform and universal suffrage. Two explanations may be offered. In the first place, the Liberals' initiative in these matters was by no means as great as they proclaimed it to be. They were intelligent enough to see which way the wind was blowing and realized that an attempt to block electoral and agrarian reform would merely produce a violent social upheaval. Their initiative was largely in adapting themselves to the course of events. At the same time, a close examination of their action shows that they attempted to avoid the full implications of these reforms. Their dilatory tactics in the history of the agrarian reform have already been described. The same evasiveness is apparent in their electoral policy.

In 1913 Ion I. C. Brătianu did come out for electoral reform, but his intention seems to have been the unification of all electors in one college rather than three, not universal suffrage. The franchise apparently would have been limited to literates, which would have excluded the greater part of the peasantry. In 1914, according to Mihalache,[27] Constantin Brătianu, third brother of Ion I. C. Brătianu and leader of the Liberals in the last decade, declared universal suffrage to be an aberration. The 1917 amendment, passed under the pressure of social unrest, provided for "proportional" representation. The Constitution of 1923 omitted this term, and the electoral law

27. Mihalache, *op. cit.*, p. 28.

3: Roberts S-4 (no date)1951 ED1 Rumania ED1

of 1926 introduced the system of the majority party premium. In these developments, as Mr. Mitrany has observed, one can detect a "subtle reactionary alchemy."

On the other hand, the Liberals' agrarian and electoral policy may not have been altogether opportunistic. There is ample reason to believe that they really regarded western European society as a model for Rumania. Many of them had been trained in Paris and in their personal lives they strove to be as Western as possible. Hence, they probably quite honestly felt that ultimately the western European peasant cultivator who enjoyed the franchise should find his replica in Rumania. Unfortunately, this goal had little to do with present Rumanian realities, and the Liberals were confronted with the alternative of Balkanizing their Western ideals or of being overthrown by them. They chose the former course.

The disparity between liberal theory and Liberal party practices in the post-1918 period appears clearly in a lecture on the "Liberal Doctrine" delivered in 1923 by I. G. Duca, who later became leader of the party on the death of Vintilă Brătianu.[28] After taking pains to refute the prevalent belief that between Rumanian parties there were only differences of persons and ambitions, not of conceptions and doctrines, Duca defined the Liberal credo in the following formula: "Progress in all forms but within the framework of the concept of individual property." Progress, however, could be realized only "through order, through democracy, through nationalism, and through social harmony." By order he meant the avoidance of anarchy, not the absence of change. He defined democracy as government of the people, by the people, and for the people, and in antithesis to demagogy. While opposing excessive or exclusive nationalism, he held that progress was possible only through the developments of national forces; economic nationalism expressed the instinct of self-preservation and was a means "to safeguard the material individuality of each nationality, to prevent its destruction by elements superior in strength or in organization." Collaboration with foreign powers or even with foreign capital was not excluded but it should be on terms which corresponded with national interests. He regarded social harmony as a necessary counterbalance to the doctrine of class struggle.

Duca then went on to show that liberalism was not a rigid doctrine, but had adapted itself to changing circumstances. It had abandoned the classical idea of property as sacred and inviolable and had accepted the principle of property as a social function, allowing for such measures as expropriation and the nationalization of the subsoil. In the field of political economy Rumanian liberalism had

[28] I. G. Duca, "Doctrina Liberală," *Doctrinele partidelor politice*, pp. 103–110.

3: Roberts S-4 (no date)1951 ED1 Rumania ED1

Iron Guard 16 per cent, and the National Christian party (the fusion of Goga's and Cuza's nationalist, anti-Semitic parties) 9 per cent. Rumania's curious electoral system had broken down. The Liberals' failure was clearly a loss of confidence. The National Peasants or the Iron Guard seemed the most likely alternatives.

At this point, however, Carol moved in and on December 28, 1937, called upon the Transylvanian poet and lyrical fascist, Octavian Goga, to form a cabinet. Carol's own explanation of this surprising decision, which was in fact the immediate prelude to his personal dictatorship, was that he had no alternative. He could not bring back the Liberals; he did not want the Iron Guard in power, so his only move was to spike the guns of the extreme Right by putting in another but less dynamic Rightist party. There was, of course, another solution: to have called in the National Peasants, but the personal feud between Carol and Maniu precluded that course. There is no evidence, however, that Carol was at all reluctant to take power into his own hands.

Goga was installed with a rather heterogeneous cabinet including Gen. Ion Antonescu and three runaways from the National Peasants, chief of whom was Armand Calinescu. This government had a brief and hectic career, notable chiefly for arousing foreign protests because of its anti-Jewish activities but for little else. On February 10 Carol ended the farce, dismissed Goga, and set up a government of National Union under the Patriarch Miron Cristea, including an assortment of old worthies: Averescu, Vaida Voevod, General Vaitoianu, Mironescu, Iorga, Tătărescu, Argetoianu, Calinescu, and General Antonescu. It was a strange collection when one considers Carol's advocacy of the "younger generation." The period of explicit royal dictatorship had started.

Economic and Agrarian Policy

If the drift toward a royal dictatorship was induced by the victories of fascism throughout Europe and by the political conflict within Rumania itself, a third reason was the economic policy pursued after the depression. While much of the dictatorial paraphernalia of these years may be attributed to Carol's personal tastes or to the political desirability of making use of the nationalist and fascist sentiments of the times, a quite separate impulse toward an authoritarian, corporatist society was contained in the economic policy of neoliberalism.

Perhaps the clearest illustration of this impulse is to be found

3: Roberts S-4 (no date)1951 EDI Rumania EDI

page 206

X

THE CAROLIST PERIOD: DICTATORSHIP, 1938–40

Survey of Political Events

WITH the advent of Carol's personal dictatorship, Rumania's parliamentary government came to an end. The particular party alignments of 1937 and the interplay of personal ambitions and conflicts may have determined the time and to some extent the form of the dictatorship, but the social and economic situation more than paved the way. The fact that Carol could reassert and indeed vastly expand the powers of the monarch on the ground of defending his people against the depredations of politicians illustrates the difficulty of creating a healthy representative regime in a country such as Rumania, where the bulk of the electorate are poverty-stricken peasants who have always been separated by a gulf from their rulers. The only constitutionally minded party which claimed to voice the sentiments of the peasantry, the National Peasant party, proved completely unable to master the situation. In the latter years of the 1930's it had only two alternatives if it was to regain its position: either to outplay the dictatorial movements in rough-and-tumble tactics, which its scruples forbade it from doing, or to recover the massive support which had carried it to power in 1928. It seemed incapable of achieving the latter and its 1937 campaign showed little of the zeal formerly displayed. Some of its most promising younger men, Calinescu, Ghelmegeanu, and Ralea, deserted to the king.

The Carol dictatorship was not merely a relapse into old practices; it was also an advance to a new authoritarian regime. In this it showed the political implications of a policy of forced industrialization in an agrarian society with great social and economic inequalities. If the relation between Carol's dictatorship and the expansion of heavy industry is not as inevitable as the Marxists would have it, it is, nonetheless, not difficult to see that such industrialization when directed from above by a handful of men would be conducive not merely to the perversion of democracy, as in the case of the old Liberals, but to its replacement by an explicit dictatorship. In this respect the advent of Carol's dictatorship is intimately bound to the

3: Roberts S-4 (no date)1951 EDl Rumania EDl

agrarian problem, which in its broadest sense is the reverse side of the question of industrialization.

On the other hand, the tortuous history of Carol's last three years as king is of less interest here. Internally, it was the confused unraveling of the peculiar relations between Carol and the Iron Guard, a vicious if ambiguous struggle between two dictatorial movements. Externally, it was the attempt to ride out the rapidly mounting tempest of the Second World War. Carol, who had mastered the internal situation, was ultimately destroyed by outside events. So while the tumultuous events of the years 1938 to 1940 are of the greatest importance to Rumanian history in general, their relevance to the agrarian question is largely external. Unlike the fall of the Liberals in 1928, the collapse of the peasantist *esprit*, and the creation of a dictatorial regime, all of which are causally related to the agrarian question, Carol's fall was a political and diplomatic rather than an economic transition.

Immediately after removing the Goga cabinet and installing under martial law his new Government of National Union, Carol moved rapidly to create his new order. He abolished the 1923 Constitution and on February 20 promulgated a new corporatist constitution, subsequently ratified by a farcical popular referendum. The new constitution greatly augmented the king's powers, dwarfed the role of the legislative bodies, and did away with the party system. Ministers were selected by and responsible solely to the king and had to be of Rumanian nationality for at least three generations. The franchise was limited to citizens over thirty who practiced either agriculture or manual labor, industry or commerce, or intellectual activity; a corporatist concept of the voter replaced universal suffrage. The spirit of organic nationalism pervaded the whole document, stressed the responsibilities of the individual Rumanian to the nation, and circumscribed guarantees of civil rights and liberties. The economic and social outlook of the constitution is shown in Article 7, whereby no Rumanian could advocate by word or letter any changes in the form of the government (all constitutional amendments had to be initiated by the king), the division or distribution of property, exemption from taxes, or class hatred.

At the same time that Carol unseated the old parties by destroying their constitutional base, he attacked the Iron Guard, and in 1938 and 1939 directed an increasingly violent suppression of its formations. The Guard was outlawed, Codreanu was arrested, tried, and imprisoned. In November, 1938, he and thirteen of his followers were shot "while attempting to escape." In September, 1939, the Prime

3: Roberts S-4 (no date)1951 ED1 Rumania ED1

661 Minister, Armand Calinescu, the strongest man in the Carol dic-
642 tatorship and the executor of the campaign against the Guard, was assassinated. His death was followed by murderous mass reprisals against the Legionaries. Carol seemed to be thoroughly the master of his country.[1]

In place of the disbanded parties he concocted in December, 1938, a single body, the Front of National Rebirth. Through 1938 and 1939 he added the various regalia associated with a corporatist state, but there is little evidence that anyone took these trappings seriously. Administrative and political corruption, always healthy plants in Rumania, blossomed in full splendor in these years; public ethics hit a new low.

648 Meanwhile, however, the international situation was closing in and
642 here Carol was caught, as it proved, in a hopeless dilemma. While throughout the 1930's the Rumanian state took on an increasing resemblance to the fascism of the Axis powers, and men of the extreme Right advocated a pro-Axis foreign policy, Rumania, with its interest in maintaining the Versailles system—the guarantor of its territorial integrity—could not be really happy in Axis company. Regardless of internal political developments, and Carol himself repeatedly stressed the difference between internal and external policy, Rumania had strong reason to rely on the Western powers. Germany, however, was clearly in the ascent and the Western powers were pursuing the policy of appeasement. With the collapse of Czechoslovakia after the Munich Conference the Little Entente broke down. In November, 1938, Carol visited both London and Berchtesgaden in an effort to maintain his balance.

The great blow to Rumania's position came with the Soviet-German pact of August, 1939, which forecast common action between the two

1. It is impossible to attempt here to clear up the obscurities in the struggle between Carol and the Iron Guard. Numerous interpretations have been made, of which two might be mentioned. The British correspondent, A. L. Easterman, in his book *King Carol, Hitler, and Lupescu* (London, 1942), was of the opinion that in assuming the dictatorship Carol was fighting fire with fire, that he was really anti-Guardist and anti-German. Under this interpretation he was attempting to preserve Rumania from German advances, and his fight against the Guardists, who are regarded as simple German tools, was a part of this national defense. A more complex interpretation is provided by the Rumanian Communist Lucreţiu Pătrăşcanu in *Sous trois dictatures*. Briefly, his thesis is that Carol had given secret support to the Guard on his road to the dictatorship, as a means of destroying the bourgeois-democratic parties, but had turned against it because of the potential social ferment it engendered and because the Guard was explicitly pro-Axis, whereas Carol was attempting to play a noncommittal game. Pătrăşcanu attributed the increasing violence of the measures employed by Carol against the Guard to the simple fact that having set up a dictatorship himself Carol had no weapon against another dictatorial movement except crude police repression.

3: Roberts S-4 (no date)1951 EDl Rumania EDl

great powers of eastern Europe, both of which were interested in revising the Versailles system. By the secret protocol of the Molotov-Ribbentrop agreement, the Reich recognized the Soviet Union's interest in Bessarabia.[2]

When war came, Rumania remained neutral, although the German control over the economy, which will be discussed presently, grew steadily. With the fall of France in the summer of 1940 and the disappearance of any hope of effective support from the West, Rumania was left with three unattractive alternatives: isolated neutrality, rapprochement with the U.S.S.R., or entering the German camp. Carol chose the latter course.[3] The corporate state was replaced by a totalitarian regime with the creation of the Party of the Nation, which included the Iron Guard and to which all government and business officials were obliged to belong. Horia Sima, the new leader of the Guard, came into the government.

After the Soviet ultimatum of June 26, resulting in the loss of Bessarabia and Northern Bucovina, Rumania renounced the Franco-British guarantees, and the active pro-Germans, Gigurtu and Manoilescu, were installed as Prime Minister and Minister of Foreign Affairs. The new direction was accompanied by zealous efforts to emulate the Axis powers through increased anti-Semitic and anti-British measures. The loss of Bessarabia and Northern Bucovina set loose other revisionist claims, and at the end of August, under German and Italian auspices, Rumania lost Southern Dobrogea to Bulgaria and Northern Transylvania to Hungary.

At this point Carol's policy of isolating and breaking up the political parties turned against him, and he found himself altogether without support in face of national indignation that a third of the nation's territory had been given up without a sign of resistance. As an eleventh hour prop for his regime he called in, on September 4, General Antonescu, who had been in disgrace for his association with the Guard. Antonescu forced Carol to renounce his dictatorial powers

2. Paragraph 3 of the Secret Additional Protocol to the Nonaggression Treaty of August 23, 1939, stated: "With regard to South-eastern Europe, attention is called by the Soviet side to its interest in Bessarabia. The German side declares its complete political disinterestedness in these areas." U.S. Department of State, *Nazi-Soviet Relations, 1939–1941* (Washington, 1948), p. 78.

3. According to ex-Foreign Minister Grigore Gafencu, Carol's decision was taken at a crown council meeting on May 29, 1940. *Preludo to the Russian Campaign*, trans. E. Fletcher-Allen (London, 1945), pp. 282–285. Such a decision is not surprising. Neutrality would have saved little except honor. The U.S.S.R. had been indicating, rather obliquely, the desirability of a revision in Bessarabia, and with the fall of France was determined to move quickly. The chances of a Rumanian-Soviet rapprochement were nil. On the other hand, German influence had increased steadily since the fall of Czechoslovakia.

3: Roberts S-4 (no date)1951 EDI Rumania EDI

642 and a couple of days later, with the agreement of Maniu and Constantin Brătianu, demanded his abdication. Carol fled the country, with Mme Lupescu and Colonel Urdareanu, the core of his camerilla. For Rumania, however, the absurd result was that popular indignation over the loss of Transylvania at the hands of the Axis merely placed in power an ardently pro-Axis government which immediately recognized the Vienna Decree.

Economic and Agrarian Policy

178 In the economic sphere the years of the Carolist dictatorship show four important characteristics:

1) a continued emphasis upon industrialization;

2) a reaction against small peasant agriculture and a growing agricultural paternalism;

3) increasing regimentation of the economy, both for economic planning and for military preparedness;

4) the growing dominance of Germany in Rumanian economic life.

The policy of industrialization which had got under way after the depression continued its course of expansion under the dictatorship, with the additional stimulus of the menace of war. After the outbreak of war the restriction of trade channels and raw material imports reduced industrial production somewhat. The loss of territory in 1940 produced, of course, a general dislocation of the economy. Industrial policy, however, was merely the culmination of the whole trend of the Carolist regime.

In the field of agrarian policy there was a noticeable reaction against small peasant holdings and renewed talk of creating a middle peasantry. As has been seen, the policy of all Rumanian governments on this question has been confused and contradictory. The National Peasants in 1929, by relaxing regulations for the transfer of peasant property, had hoped to create more prosperous and self-sustaining holdings, but their action had rather the effect of dispossessing the small peasant. On the other hand, the debt conversions of 1932–34 had the opposite effect and in a negative way were, as Garoflid called them, a new peasant resettlement in that they limited the effect of the economic crisis in weeding out the weaker peasants. The Tătărescu government had attempted to colonize relatively underpopulated areas with medium holdings and by the law of 1937 had tried, ineffectually, to check the subdivision of land.

642 654 Under the Carol dictatorship somewhat more extensive measures

3: Roberts S-4 (no date)1951 ED1 Rumania ED1

were initiated, at least on paper. The 1938 Constitution, by prohibiting any public discussion of redistribution of property, showed the regime's attitude toward further expropriation as a remedy to the agrarian question. During the interwar years the governments were accustomed to state that large estates had virtually disappeared through the reforms of 1918–21, but after 1938 increased attention was paid to medium and large properties.[4] In the law of December 5, 1938 (amended January 7, 1939) the government established a Bank for the Industrialization and Valorization of Agricultural Products (BINAG), one of the recurrent efforts to provide agricultural credit. It is to be noted, however, that by Article 6 of this law the main credit functions of this bank applied only to farms of over 5 hectares, thus overlooking the majority of the peasantry.[5]

The spirit of the regime is well shown in an article by the agricultural economist Valeriu Bulgariu,[6] who announced that King Carol, "the first farmer in the land," had plans to change completely the existing conditions in agriculture by a twofold effort to organize small farming on rational lines and to encourage owners of medium-sized estates to increase the area of their holdings.

> When the great land division took place after the war, the agrarian reform went too far. . . . It assigned land to a very large number of villagers, and as a result subsequent successive divisions had increased the excessive subdivision of land. Reaction was necessary, and to-day economists and sociologists are in favor of the concentration of scattered property, a policy adopted by the government and all its agents.[7]

The desirability of concentrating peasant holdings was no new discovery, and Carol's regime for all its new direction was not a bit more successful than previous regimes in doing anything about it. The policy of creating larger holdings, also no novelty, was faced as always by the difficulty of creating them without dispossessing peasants in the process. According to Bulgariu,

4. See, for example, Aureliu Lapedatu's article, "A Technical Study in Rumanian Cereals," *Correspondance économique roumaine* (April–June, 1938), pp. 1–28, in which the author discussed the manifest advantages of the large Rumanian farms in the use of technical equipment for rational cultivation.

5. The same thing is to be seen in the case of the cooperatives. According to A. Galan, "General Survey of the Co-operative Movement in Rumania," *Correspondance économique roumaine* (January–May, 1939), pp. 1–65, in 1939 one farmer in three was affiliated with one of the several agricultural cooperatives. Unquestionably the other two-thirds included the poorer peasants.

6. Valeriu Bulgariu, "Agrarian Policy in Rumania," *The Banker*, 49 (March, 1939), 344–348.

7. *Ibid.*, p. 346.

3: Roberts S-4 (no date)1951 EDI Rumania EDI

men's Front, which had absorbed the dissident National Peasants to become a united peasant party; the National Popular party, which dissolved itself a year later on the grounds that the intellectuals and representatives of the middle class supporting this artificial organization should henceforth work within the cadres of the "mass parties"; and the Hungarian Popular party, controlled by the Communists but presumably designed to represent the Hungarian minority. On March 28 this bloc conducted and won elections, against a wholly spurious opposition, for a new assembly to vote on the constitution.

The Constitution of 1948 closely resembled the 1947 Constitution of the Bulgarian People's Republic and was clearly derived from and inspired by the Soviet Constitution of 1936. Apart from the fact that the latter is concerned with the union of a number of constituent republics, the principal differences reflect the transitional character of the so-called popular democracy. The People's Republic is defined as arising from the struggle against fascism, reaction, and imperialism rather than from the overthrow of landlords and capitalists. Private property is still recognized as one form of ownership of the means of production, though it is circumscribed by the "general interest" and subject to expropriation and nationalization. The Communist party does not have the preeminent status it enjoys in the U.S.S.R. As in the Soviet constitution stress is laid upon the right to work, to have leisure, and to receive an education; civil liberties, freedom of the press and of speech are guaranteed, but clearly for proletarian purposes; the right of association may not be directed against the democratic order established by the constitution. The supreme organ of the state is the unicameral Grand National Assembly, headed by a Presidium; the executive branch of the government is the Council of Ministers.[14]

Since the adoption of the constitution there have been few important structural changes in the government but rather a consolidation of the regime, the reorganization of the administration and the army (which apparently now exceeds treaty limits), and a running fight to eliminate the remnants of political opposition and to subdue sporadic uprisings brought about by the extensive new economic activities. A series of well-advertised public trials continued through 1948 and 1949, against Liberals, industrialists, military officers, students, Catholic and Uniate clergy, and Zionists, all categories that might cause the regime trouble or embarrassment. The new legal apparatus, including the addition of "people's assessors" to assure

14. For a recent study of constitutional developments within the Soviet sphere, see Andrew Gyorgy, *Governments of Danubian Europe* (New York, 1949).

3: Roberts S-4 (no date)1951 ED1 Rumania ED1

661 proletarian justice and the introduction of the death penalty for treason, espionage, and economic sabotage, proved an efficient weapon
• 642 in this attack. The creation, announced in January, 1949, of People's Councils as the organs of local government was to provide the basic
[647] unit for the administrative hierarchy and to pave the way to a socialist society. In September, 1949, a State Control Commission was formed "to develop the spirit of responsibility toward public property, to wipe out bureaucracy, to verify the carrying out of government decrees, and to prevent sabotage in the work of building socialism." Avram Bunaciu, Pătrășcanu's tougher successor at the Ministry of Justice, became head of this commission, which promised to be a very formidable instrument.

643 Along with the consolidation and coordination of the political and administrative apparatus came a marked shift in the party line from what it had been at the end of the war. The original program sought a government friendly to the U.S.S.R. and in which the workers' front would operate in coalition with middle-class parties. After 1947 not only the fact but even the pretense of collaboration was dropped. At the end of that year Gheorghiu-Dej said,

> The resignation of Tătărescu and his group means the removal of the last representatives of the reactionary bourgeoisie from the government; it means that the proletariat and its allies no longer share state power with the representatives of the exploiting classes. . . . The proletarian vanguard, in close alliance with the peasants and the progressive intelligentsia, is the backbone of the government.[15]

By 1949 the People's Democracy was explicitly defined as fulfilling the functions of the dictatorship of the proletariat. It was distinguished from the Soviet form because it was possible, through the assistance of the U.S.S.R., to establish the dictatorship without civil war. In the People's Democracy, unlike the Soviet, the old state apparatus was not immediately smashed; bourgeois elements were retained for a time.

> But only with the establishment of People's Councils—local organs of state power built on broad democratic lines—will the new state apparatus be created, corresponding from top to bottom in every way with the aims and tasks of the new state and adjusted to the tasks of building Socialism. . . . The establishment of the People's Councils signifies

15. *For a Lasting Peace, for a People's Democracy* (January 1, 1948). (Published in Belgrade until December, 1948; subsequently in Bucarest.)

3: Roberts S-4 (no date)1951 EDl Rumania EDl

that in form the People's Democracy is approaching the higher form of 642
the dictatorship of the proletariat—the Soviet form.[16]

Vasile Luca even read this view into the earlier tactics of the party, stating that in 1944 the Rumanian Communists had realized that the only road forward was the one mapped by the October revolution: "There was no third path, and there can not be one." [17]

Hence by the beginning of 1950 the Rumanian government was openly recognized as a proletarian dictatorship, well on the way to the Soviet form and in full pursuit of socialism. It might seem from these statements that this program had been planned all along; certainly Georgescu and Luca, in their current stress upon the regime's revolutionary origins, sought to give that impression. Yet there is evidence that this renewed Leftist line of international communism was causing some confusion in the cadres.

For example, an article appearing in 1949 in a Hungarian Communist periodical pronounced the same general line, which is that of all eastern European Communist parties today, but in greater detail.[18] The new People's Democracy was identified with the dictatorship of the proletariat; this identity did not exist at first but was created in the course of a developing struggle, first against fascism and big business but later against all capitalist elements including the rich peasantry. The article was frank in granting that this advance was rendered possible through the initiative and continuing aid of the Soviet Union.

Significantly, however, it went on to say that the Hungarian party did not have a clear view of all this until it received clarification from the Communist party of the Soviet Union and the Cominform in the autumn of 1947 and the summer of 1948. As a consequence, the party membership had fallen into a number of errors: it was inclined to forget that the People's Democracy was really more than just a plebeian variety of bourgeois democracy; it stressed the differences rather than the similarities between the Soviet system and the People's Democracy; it believed that the transition to socialism could be made without the dictatorship of the proletariat, or, if not, that the dic-

16. *Ibid.* (June 1, 1949).

17. *Ibid.* (November 4, 1949). In this same vein Luca proceeded to congratulate the party for wrecking all the coalition cabinets after August, 1944: "Before March 6, 1945 not a single government had been able to consolidate itself. The pressure of the masses led by the Communist Party and the work of the Communist Ministers inside the government brought about the fall of all these governments."

18. This article was translated into English and appears as "The Character of a 'People's Democracy,'" *Foreign Affairs, 28,* No. 1 (October, 1949), 143–152.

3: Roberts S-4 (no date)1951 EDl Rumania EDl

tatorship would follow the People's Democracy and was not contained within its form; it believed that power might be shared with the peasants.

But what, it should be asked, was the source of these errors? Surely not an independent, uninformed, "soft" mood on the part of the Hungarian party. The hard line now enunciated was no new discovery; it was the familiar revolutionary message all Communists had been brought up on. Quite obviously all these mistakes were likewise, at an earlier date, the official line emanating from Moscow in support of popular fronts, and while it may be that the Moscow leadership never really subscribed to this line, the article itself would indicate that party membership had been sufficiently indoctrinated in the more moderate tactic that it was now necessary to make a special effort to redirect its views. Given the tight coordination of all Communist parties in the Soviet sphere, there is no reason to doubt that this interpretation also applies to the Rumanian case.

On the international level, Rumania's relations deteriorated steadily after 1946; the American and British governments repeatedly wrote notes of protest against the violation of Allied agreements and the peace treaty; the Rumanian government responded sharply with charges of American imperialism and espionage. In 1949 the issue of the Bulgarian, Hungarian, and Rumanian violation of human rights was brought before the General Assembly of the United Nations, which recorded its disapproval of the completely uncooperative attitude displayed by these states and resolved to refer the issue to the International Court of Justice for definition and clarification.[19] It was not clear by the end of the year that this action could achieve any important results under existing circumstances.

Since the creation in 1947 of the Cominform, which signalized the return to a hard line, and especially with the transfer of its headquarters to Rumania after the break with Tito, Bucarest has become one of the principal centers of international communism. At the same time the country has been increasingly isolated from the Western world. In April, 1949, even diplomatic representatives were prohibited from traveling in the Banat, Bucovina, Moldavia, or Dobrogea.

It is idle to speculate whether or when Rumania will enter the Soviet Union as a member republic, although rumors anticipating that event have not been lacking in the last two years. It would appear to be a question of relatively little practical importance, since the U.S.S.R.

19. United Nations, *Official Records of the Fourth Session of the General Assembly. Resolutions, 20 September–10 December 1949* (Lake Success, N.Y.).

still abroad, was summarily dismissed. Peasant risings, a movement for autonomy in Transylvania, and general instability led to the nomination of General Averescu to office, owing to the reputation he enjoyed of being a strong man, having taken an active part in suppressing the peasant rising of 1907.

General Averescu's government passed the enactment dealing with the distribution of land to the peasants, while his Minister of Foreign Affairs, M. Take Jonescu, laid the foundation of the Little Entente by concluding alliances with Czechoslovakia and Yugoslavia. General Averescu attempted to open pourparlers with Russia, so as to prepare the recognition of Rumania's right to Bessarabia, and there was a fair chance of his succeeding, but he was baulked of his aim, for the King vetoed his plan.

To M. Titulescu was assigned the task of reorganizing the country's finances. This was deemed to be an intrusion into the special domain of the Bratianus[1] and so by provoking their hostility, brought about Averescu's downfall. M. Take Jonescu was his successor, but he was able to maintain himself in office only for a month. A government constituted by the Bratianu party followed in January, 1922, and remained in power until March, 1926. Owing to the disunion among the Opposition groups the Bratianu party was allowed to carry into effect its nefarious project of securing complete control of the economic resources of Rumania. The whole legislation passed during its tenure of office was of a purely economic character, and under the pretext of consolidating the finances of the country they merely consolidated their own financial dominance.

Popular dissatisfaction was steadily growing in the meanwhile, as instead of relieving the money stringency, the economic policy of the government did nothing but intensify the evil from which the country was suffering. On the other hand the Opposition was closing its ranks and organizing mass demonstrations throughout the country. A monster meeting of peasants was held at Alba-Julia in May, 1925, followed up by vigorous onslaughts against the government. The latter, unable to obtain a foreign loan which would have enabled it to stabilize the currency and relieve

[1] [The Liberal Party, headed by John Bratianu—Ed.]

THE POST-WAR PERIOD

The elections which followed in May, 1926, were among the most violent which had been witnessed in Rumania. Though the Averescu group had secured the support of the Magyars, Germans, Jews, Bulgarians and Turks by holding out to them the most alluring promises, it in no way felt secure, and therefore had recourse to extensive terrorist methods. Most Opposition leaders were arrested. Opposition leaders like Maniu and Vaida-Voevod were prevented from holding meetings. Mihalache was set upon by gendarmes and beaten at his home at Topoloveni. The Bessarabian leaders, Stere and Halippa, while travelling to Bessarabia were ignominiously thrown out of their train at Floresti, placed under an escort of gendarmes and conveyed on foot to Cetatea-Alba, a distance of 300 kilometers, despite the fact that they were both in a poor state of health at the time. The army and gendarmerie were mobilized and ordered to see to it that Rumanian citizens did their duty (such as it was conceived to be by the government of H.M. King Ferdinand of Rumania). One of the manifestos issued and distributed broadcast by army air-planes at the time read:—"If you trust in the King then you must trust in his government." As for the way royalty in Rumania conceived its duty of guarding the letter and spirit of the Constitution, one may judge by the fact that the King, aware of the violence to be committed, and knowing that as the supreme arbiter in the country he would be besought from all sides to intervene and put a stop to it, could think of nothing better than to elude his responsibilities by betaking himself to his yacht, and cruising on the Danube for a whole week so as not to be importuned by the complaints of his liege subjects!

In spite of the unprecedented violence employed the government obtained only 54% of the total votes cast, but it must be remembered that this percentage included almost the whole of the votes cast by the minorities.

For some time Averescu meekly followed the lead of Bratianu. He surprised nobody, however, when he began to show manifest signs of insubordination, but to no avail.

For the Liberals, knowing the shifty customer with whom they were dealing, had taken their precautions. During their four years of office they had bestowed on most of the

661 state administrations a certain degree of autonomy which,
[642] effectively amputated the central government of many of its
prerogatives, and having filled these administrations with
their own partisans they still exerted an influence which
could, if necessary, paralyse the governments destined to
succeed them in office.

In his electoral manifestoes, Averescu had held out to the Rumanians the most seductive inducements, among others that of a flow of foreign capital into the country. Time passed, however, and so, without any sign of an impending materialization of these assurances, the public began to chafe and inveigh against him. The resentment which the Liberals had aroused against themselves was thus deftly diverted on to the heads of their successors. This result having been duly effected, the Liberals emerged from the seclusion they had hitherto voluntarily imposed on themselves, and now appeared on the scene in the guise of indispensable factors for the restoration of the order and legality so grievously compromised by their incompetent henchman! The King was induced to demand General Averescu to form a coalition Ministry, but after a fruitless effort he was summarily dismissed and replaced by Prince Stirbey, who a fortnight later retired, making way for a Bratianu Government, so that the transition might not appear too brusque.

643 King Ferdinand died in July, 1927, and as the crown passed to his grandson, Michael, a boy of six, a Regency Council was nominated. Ferdinand's son, the notorious Prince Carol, had been excluded from the throne owing to Ferdinand's conviction that Rumania's prestige would suffer if a person with Carol's record became King. A similar opinion seems to have been held by our Foreign Office, for when Prince Carol came over to England in 1925 he received a polite but firm request to leave our shores.

665 Unhappily for the Liberals, their leader, John Bratianu, died suddenly in November, 1927. His was a strong willed and dominating personality, capable, but not over scrupulous in the choice of methods. The leadership then passed to his brother, who until then had been Minister of Finance.

665 The rising storm of popular exasperation caused by the
652 financial policy of the Liberal party, which had brought the

671 preparing a system of regional decentralization which would largely have satisfied the desires of the minorities.

662 Having to rely upon an inefficient administrative staff, with the various autonomous State departments still filled with supporters of the Opposition, and the latter hampering and undermining the government's attempt to clear up the mess in which the country had been left, it was hardly possible to expect that the government of M. Maniu could effect the miraculous change that was expected of it. In order to counteract the underhand machinations of its Liberal opponents, who did not scruple even to sap its credit abroad by circulating scurrilous attacks on it among foreign banking institutions, while at home they brought pressure to bear on the Regency (which had been elected at their dictation) to create irritating hindrances to the smooth working of the government's plans, the latter at last allowed itself to be won over to what at the time was a fairly popular view, namely that of permitting the former Crown Prince Carol to return and ascend the throne. His advent was reckoned as likely to strengthen the hands of the Government, for he shared with the National Peasant Party the hostility of the Bratianus. Carol II, however, after his accession to the throne on June 8th, 1930, began to manifest a distinct predilection for autocratic measures. He arbitrarily removed from his post the able Rumanian Minister in Paris, M. Diamandi, a man who had distinguished himself for years by his devoted and brilliant service to his country, and nominated a personal friend whose sole qualification for this important diplomatic post was that he was a racing man. He estranged both M. M. Maniu and Vaida-Voevod by unconstitutionally interfering in the government, and thereby provoked the resignation of both. As he did not yet feel himself strong enough to dissolve the Chamber he allowed the National Peasant Party to form another Cabinet with M. Mironescu at its head, but he imposed on them as colleague an outsider in the person of M. Manoilescu, another personal friend of his. An attempt was made to form a Coalition Cabinet to be presided over by M. Titulescu, but as this failed the Mironescu Cabinet was tolerated for a time because it was conducting negotiations for a loan, and a premature

642
643
661

disclosure of the impending adoption of a dictatoral régime might have influenced them adversely. Once the loan was obtained, and when it was deemed that the favour with which the National Peasant Party was regarded had somewhat subsided, owing to the unpopular budget measures it had adopted, M. Mironescu was forced to resign, and death having removed in the meantime the most determined adversary of the King, M. Vintila Bratianu, the former now proceeded to unfold his plan of action.

M. Titulescu was once more summoned to Bucarest and asked to form a broad Coalition Cabinet; but as the National Peasant Party refused to lend its support to a cabinet which would have contained two royal favourites, Manoilescu and Argentoianu, M. Titulescu wisely abandoned the task and returned to London.

The next step of Carol was an attempt to follow the nefarious example of his brother-in-law, the Serbian monarch, and form a military cabinet, but the Spanish revolution which broke out at the time induced him hastily to alter his plans.

M. Argentoianu, who had in the meantime become the favourite adviser of the King, opted for the dissolution of the Chamber and the formation of a cabinet of "technical" experts to shore up the tottering framework; himself to occupy the two most important posts, those of the Ministry of Finances and of the Interior. The technical capacities of M. Argentoianu are of peculiarly sinister character, judging from what former colleagues of his have to say of his activities. Thus General Averescu, in whose cabinet he held the post of Minister of Finances ad-interim, accuses him of unconstitutionally squandering £1,500,000, of thereby defrauding the State, and rendering himself liable to penalties provided in Art. 326 of the Rumanian penal code, as well as in Art. 3 of the law regarding ministerial responsibilities—infractions that had been established by the Judicial authorities in 1923, if we are to trust General Averescu's affirmations as they were published and reproduced in a series of articles in all the principal Bucarest newspapers during January, 1932. Another ex-Finance Minister, M. Virgil Madgearu, on whose integrity we may rely, likewise

645 accuses him of having caused a loss of 90 million lei to the State in 1921, and further affirms that Argentoianu never offered a satisfactory explanation of the reasons which led him to operate so disadvantageously to the interests of the State, though he had been interpellated several times on the subject in the Chamber. We may surmise, therefore, that the technical capacities of M. Argentoianu, who enjoys the reputation of being an arch cynic, were somewhat deficient from the moral point of view, and in order to compensate for this shortcoming the respectable personality of Prof. Iorga, upon whom the dignity of Prime Minister was foisted, was made use of to complete the Cabinet. We may take it for granted that Prof. Iorga, who is a distinguished historian and man of letters, was, like Plato's model ruler, least eager to rule, for he was engaged in an occupation better than ruling, and led a life finer than that of those wielding authority. But his duty to his former royal pupil, as he conceived it, compelled him to quit his life of contemplation and return to work for the general good in what, according to Plato, is the ' cave.' Prof. Iorga, doubtless, must have lost sight to some extent of the difference between the perfect State, which is unattainable, and the good State which is a present possibility, as expounded respectively in the " Republic " and the " Laws." Otherwise, he would have halted before returning to the darkness of the cave. His presence would have been desirable in such conditions as prevail in the unattainable and ideal perfect State, but such would not be those obtaining in a State with the present possibilities of Rumania.

642 645 It is to this confusion of ideas, as well as to the evident desire to exert even a limited restraining influence on his sovereign, that we must have recourse in order to explain Prof. Iorga's consent to read a royal decree dissolving Parliament and ordering new elections to be held in June, 1931.[1]

[1] In an interview published by the "Echo de Paris," June 29th, 1930, Professor Iorga stated, amongst other things, that "whenever the party spirit overruled the spirit of patriotism he would be found by the side of the King, in order to defend the supreme interests of the nation." Professor Iorga's attachment to the throne is explicable by his traditionalism. As a historian he sees in his sovereign, the lineal descendant of Stephen the Great, or of Michael the Brave. A non-Rumanian, however, may be dispensed from taking such a view, and excused if he does not hold a very high opinion of a scion of the Hohenzollerns who promulgates rascally laws defrauding the unwary foreign investor and trader.

THE POST-WAR PERIOD

A very unfavourable impression was created by the dismissal of the Chamber controlled by the National Peasant Party, the only standard-bearer of democracy in the country. It is probable that the electorate would have reacted with more spirit if the people had not foreseen that the thwarting of the royal will would have entailed the abolition of even the semblance of a Parliamentary system, and the proclamation of a pure dictatorship. Though not to an overwhelming extent, violence and illegality were pretty freely employed, to judge from the cases reported in the Press, yet in spite of all these artifices and the mass abstention of its opponents the elements supporting the Iorga-Argentoianu Coalition secured only 48% of the total votes cast; a very meagre performance indeed if it be remembered that even the Liberal party figured among its supporters.

That the Iorga-Argentoianu Cabinet did not fulfil the hopes placed in it by the King became obvious when he again summoned M. Titulescu, early in 1932, to Bucarest, and asked him to form a broad coalition cabinet. No real coalition cabinet truly representative of the national will could be formed without the inclusion of the National Peasant Party, and the leaders of the latter, when sounded, replied in a truly dignified manner that so long as constitutional methods were not observed they would abstain from participation. M. Titulescu gave up the mission and once more returned to his ambassadorial duties in London. Even those who by their votes helped the Cabinet to install itself in office seemed to have turned against it, for during a sitting of the Rumanian Senate on December 5th, 1931, M. Pillat, belonging to the Liberal party, delivered the following trenchant criticism on the Cabinet: "When you came to power you had promised three principal things: 1st, reduction of the Budget and a lightening of taxation through economies; 2nd, a redressing of the financial and economic situation and of the agrarian crisis; 3rd, penalties for all abuses. But what has been realised? The policy of feigned economies has not stopped the practice of dissipation, aggravated by fresh injustices. In a time of such poverty you have not only maintained old sinecurist in office but you have created even new ones. Favourites of other régimes who exert cumulative

665 Bratianu, the inspirer of that rabid xenophobia to which may be ascribed the major part of the woes from which the country is suffering to-day. On his death, the conduct of the party was entrusted to M. Duca, but there is a small dissident fraction of the party which is led by M. George
665 Bratianu. The split was due to the fact that the majority of
642 the party was opposed to the return of the present King Carol II, and to their taking up an altogether intransigent attitude on the subject which was considered impolitic by M. G. Bratianu. After M. Vintila Bratianu's death, however, the party's relations with the Crown considerably improved, and it even went so far as to lend its concourse to the election and maintenance in power of the Iorga-Argentoianu Cabinet in order to emphasize its determination to maintain good relations with the King. It changed its tactics as regards the Government after the latter had been in office for a year, and opened a violent campaign aiming at its overthrow, as it considers that this régime is causing much harm to the country, and apprehends that it may be succeeded by yet other political combinations enjoying royal favour, thus perpetuating a system which would tend towards the elimination of political parties from participation in the government of the country.

Speeches made by M. M. Duca and Tatarascu, a prominent member of the party, at a political meeting held at Braila on May 15th, 1932, give a clear indication of the attitude of the party. It was explained at this meeting that the support extended to the Iorga-Argentoianu government was due to the desire to avoid all difficulties to the king, and allow the latter to carry on the experience he wished to initiate without embarrassment. After a year's trial, however, it became obvious that it was imperative to remove this Government which was bringing disaster to the country, to change the methods and system of government, and to revert to constitutional practice.

665 *The National Peasant Party.*—The agrarian reform which had been carried out on the conclusion of the peace led to the emergence of an agrarian political party of ultra-radical tendencies. It formed, however, an amorphous mass that required the demagogic activities of a leader such as the late

665 published in the "Cuvantul" of May 29th, 1927, in which it
563 was reported that the ecclesisatical authorities of Bucovina as well as those of Jassy had refused to collaborate with M. Cuza, because he had converted the club-house of his party at Jassy into a brothel. The paper proceeded to give various unsavoury, as well as pungent, details of the regulations prevailing in this "Christian" League club—regulations, which, according to the "Cuvantul" had been drafted by M. Cuza himself, to the immense benefit of the institution and its "pensionnaires." According to this paper this document serves as a striking testimonial to the organizing capacity possessed by this .... gentleman. M. Cuza has been elected as a deputy and early in October, 1931, he delivered a violent diatribe against the League of Nations; a very inconsiderate proceeding seeing that Rumania's salvation may well depend on the League and the aid of international finance.

THE ETHNIC MINORITIES AND THEIR GRIEVANCES

563 Rumania shares with Czechoslovakia and Esthonia the distinction of treating her ethnic minorities with a spirit of tolerance that speaks much in favour of the Rumanian people, who, as most impartial observers will admit, are distinguished by their kindliness and good humour. Most of the complaints one hears of, and they are numerous, arise mainly from the general maladministration from which all sections of the community suffer, and for this reason it is not the Hungarians, nor the Germans, nor the Bulgarians of the Dobrudja who are most vociferous in their lamentations, but strange to say, the Rumanians of Bessarabia. A whole book could easily be written on their tribulations, and as their woes are representative in an intensified form of those endured by other sections of the community, it may be judicious to dwell on them rather than on grievances specifically formulated by Magyars or Bulgarians, as one will thus avoid the imputation of partiality for the latter.

563 Without wishing to cast any disparaging reflections on
642 Rumania one cannot help deploring the failure to take

regional differences into account. The persistent endeavour to create a strong centralization has been accompanied by parallel attempts to choke all natural expression of local life, contributing thereby to the drying up of the springs of national vitality and instilling in the mass of the people a spirit of apathy or of scarcely disguised hostility. Had the reverse policy been adopted, there is little doubt that the various provinces would have fostered local institutions on their own lines, and would have given a better structure to the whole system of administration by providing it with a backbone of local interest and control which it otherwise will continue to lack. At any rate it becomes daily more obvious that the decision taken at Versailles to transfer high-cultured communities completely out of harmony with Rumanian methods to Rumanian rule, without securing for them a certain degree of autonomy, was particularly unfelicitous for their members.

Whenever general elections are impending, the ethnic minorities are solicited by the various Rumanian parties for their votes, in exchange for which they secure assurances that their aspirations will be completely satisfied. The election over, however, these alluring promises are forgotten, as are also similar electoral pledges made to Rumanian electors. If the hopes of the ethnic minorities were not elated every now and then by such extravagant engagements they would feel less keenly the injustice that had been inflicted on them. As matters stand, Rumanian parliamentary candidates at election time serve to keep this wound open, which, with a little more skilful handling on their part, would have had a better chance of healing.

The main grounds for complaints in the case of Hungarians and Germans is the subject of their language. They find that a too exclusive use of the Rumanian tongue is insisted on in the various administrations as well as in the Tribunals, and that their children do not enjoy the same facilities to pursue their studies in their vernacular as when Transylvania formed a part of Hungary. All this is true, but it cannot be gainsaid that the Hungarian and German minorities are infinitely better off than is the German minority in the Italian

000 letting in the flow of the great body of people to the offices of government.

642 668 But there are those of course who mistrust democracy and who would prefer to seek renovation by other methods. Corruption among the political parties in Serbia prepared the way to the dictatorship. A similar trend has been discernible lately in Rumania, and among the exponents of despotism we find university professors such as M. Paul Negulescu. In his "Treatise of Rumanian administrative law," the second volume of which appeared late in 1930, we read that "most of the politicians being incompetent, and occupying high posts thanks to party influence, sympathize with men of similar mentalities, and look askance at men of independent character. . . . By the intervention of politicians in the administration its personnel is demoralized, as also by the creation of sinecures for party friends." The author proceeds to demonstrate that the authority of the State is compromised by such habits and indicates as a remedy . . . . a Government appointed by the King and responsible solely to him.

Political corruption brings grist to the fascist mill, scandals and incompetence are adduced as justifying the adoption of another system of government. The following article, which appeared in the "Epoca" for Oct. 24th, 1930, a newspaper with conservative traditions, reveals how gravely the system of parliamentary government has been undermined by the dishonest practices of Rumanian politicians:—"The task of reconstruction was incontestably easier for Rumania than for other States. First, owing to the similarity of race, language and religion in the annexed provinces, and secondly, owing to the immense resources possessed by our country.

Thanks to odious and dishonest party politics we have lived through an era of continuous descent into wretchedness more and more acute. Every party that has acceded to office has left behind it an abyss of hopelessness and of ever increasing poverty, empty State coffers, and a growing disgust in the mind of the taxpayer. Political persons speculating on the naivity of the masses have accumulated colossal fortunes which have been placed in safety beyond the danger of possible judicial revisions. This country, blessed in all by the Lord, which ought to have been the most prosperous

corner of Europe, has been allowed to become the prey of odious vampires, who have sucked everything dry and have even robbed us of our hope of possible salvation. Nevertheless, Providence hath granted the return of our long expected King," etc. 642 668

One is justified in expressing doubts as to the expediency of applying fascist methods in Rumania as one fails to perceive the dominating personality who might control and direct such a policy; one may also ask, where are the indispensable coadjutors to be recruited from? It can hardly be said of King Carol that he has been able to live down his unfortunate reputation so as to assume with some hope of success such a formidable task. As for his likely collaborators who, presumedly, are to be selected from among the Rumanian ruling circles, one need only peruse the posthumous memoirs of the late Rumanian Prime Minister, Marghiloman, in order to be convinced of the utter abjectness of this class. M. Pamfil Seicaru, who may be likened to the late Henry Labouchere of "Truth" for his fearless criticisms, when writing on the boundless vista of putridity disclosed by this compilation, stigmatized in the "Cuvantul" of July 17th, 1927, in the following scathing terms the leading circles of his country:—"These memoirs form a vast archive concerning turpitudes of a whole ruling class . . . the majority of this class which remained in the territory occupied by the enemy openly practised with him . . . while those in Moldavia offered a spectacle of the most trying moral bankruptcy. A parliament of speculating fugitives revealing a criminal insensibility in face of the tragedy of a whole country; one cannot imagine a more sinister divorce between a ruling class and a nation in arms. . . . And who amongst them can indict the others for their subversion of the national ideal? Can the aristocratic fugitive fragment which took refuge in Moldavia or Russia claim to represent a higher standard of morality than the section which remained in the occupied territory meekly to serve the enemy? They both form two aspects of the same filth." 641 565 661

As recently as May 6th, 1932, Octavian Goga, an ex-Minister and presently in intimate relation with the King, who publicly brags of being the successor designate of Prof. 565 641

12: Kormos S-4, 5 (no date) 1944
ED1 Rumania ED1

p 71

CHAPTER V

POLITICAL HISTORY, 1919–39

The crushing defeats which the Rumanians suffered at the hands of the German and Bulgarian armies in 1917, and the provisions of the Treaty of Bucarest, had left the country in a state of utter helplessness and confusion. The only 'compensation' was the annexation of Bessarabia. But in the autumn of 1918, after the collapse of the German, Bulgarian and Austrian fronts in the Balkans and the advance of Allied troops, Rumania re-entered the war. The pro-German government was dismissed and the Francophile leader of the Liberal Party, I. Bratianu, became Prime Minister.

At about the same time the Austro-Hungarian Empire began to disintegrate. Following the example of other minorities, the Rumanians of Transylvania and Hungary formed a National Assembly which, at its session on 1 December 1918 at Alba Julia, voted for the union of Transylvania and the Banat with the Old Kingdom. Among the members of the Directive Council of Transylvania, under the presidency of the peasant leader Maniu, were many politicians who afterwards played a prominent part in Rumanian public life.

The retreat of the German army of occupation from Rumania, which took with it everything it could lay hands on, and the collapse of Austria-Hungary opened a period of great confusion. The former subject-peoples of the Dual Monarchy asserted their national independence while the

12: Kormos S-4, 5 (no date) 1944
ED1 Rumania ED1

The new government at once introduced measures which had become familiar in Germany and Italy. All democratic papers and organizations were suppressed, anti-Semitic laws were carried out without delay and the government's storm-troopers ruled the country. In the meantime the Iron Guard gathered strength and prepared to take power. The king recognized the threatening danger, dismissed Goga after only forty-five days, installed the patriarch Miron Cristea as Prime Minister of a government of 'national concentration' and announced a new constitution on the Fascist model.

All political parties were dissolved and their property confiscated. Representation was to be 'corporative', that is, according to social status, and the age of the franchise raised from 21 to 30. The king, with an advisory Crown Council, had all executive power. This so-called constitution was put to an open and verbal vote and was naturally accepted.[1] The new single-party, the 'Front of National Renaissance', became the only recognized political organization whose membership was obligatory for all officials.

The king's victory seemed complete. The democratic forces were routed and the whole administration was firmly in his hands. The army and a section of the industrialists supported this new regime, which promised them increased powers and incomes. Codreanu, whose many assassinations had been left unpunished, was imprisoned after being found guilty in a libel action.

[1] Only about five thousand people dared to vote against this constitution in February 1938. Maniu demonstrated his protest by leaving the country before polling-day and returning shortly after.

[i.e. Goverment of National Christian Front of 1937--Analyst]

643 668 648 he had played off one political party against the other in order to strengthen his position. In foreign politics he followed the same tactics. He ended by completely isolating Rumania internationally and undermining her internally.

It may be said in extenuation of his inglorious behaviour, that the dismemberment of Greater Rumania was inevitable, once the whole balance of power had shifted against the Western Allies, whose settlement had created it. But it is at least equally tenable that a democratic and united Rumania, which had succeeded in winning the loyalty of any considerable elements among its minorities, might have held out against the cession of territory to Hungary, by obliging the Hungarians and Germans to use force to effect it at a time when Hitler was anxious to avoid war in the Danubian area. This might have rallied Rumania with Yugoslavia and Greece, who showed a more heroic spirit, to the Allies' camp. In fact, the king's policy only aggravated the internal situation and sharpened the conflict of parties.

642 661 RUMANIA GOES TO WAR. General I. Antonescu, having obtained Carol's abdication, pronounced himself 'Conducator', that is, 'Leader', and proclaimed the creation of the 'Legionary State'. His government was composed of generals, leaders of the Iron Guard and civil servants. Codreanu's successor, Horia Sima, became vice-premier and at once organized an unprecedented regime of terror throughout the whole of Rumania. His henchmen assassinated numerous prominent opponents of the Iron Guard. The looting of shops and the beating

7 [Sept 6, 1940 -- Analyst]

up of Jews became the favourite occupation of the legionaries. The resulting confusion helped many minor officials as well as influential business men in acquiring valuable property.

But it soon became obvious that the real masters of Rumania were the Germans. In October 1940 Antonescu invited German troops into the country as instructors for the Rumanian Army. German trade delegations began organizing Rumania's economy and German specialists were appointed to important positions in various ministries. Although Antonescu had included the Iron Guard in his government, the struggle for power between him and Horia Sima continued. In January 1941 the Iron Guard, supporting the latter, made a last bid. The legionaries rose in revolt and succeeded in gaining several strong positions in Bucarest and in some provincial towns. The army, however, sided with Antonescu, who was also aided by the Germans, and within a short time the 'Conducator' emerged as victor. He at once proceeded to the establishment of a completely military administration and based his whole regime on the army.

His success in the fight against the Iron Guard was influenced decisively by the German desire to create a stable Rumanian government which would join in the attack on the Soviet Union. Antonescu did not fail his German masters. On 22 June 1941 Rumanian troops, together with German divisions, crossed the Soviet frontier. Thanks to German support, Bessarabia and the Northern Bukovina were re-occupied within a short time. Both provinces were put under a military administration and ruled quite separately from the rest of Rumania.

[I e. Antonescu -- Analyst]

12: Kormos S-4, 5 (no date) 1944
EDI Rumania EDI

Crimea and Kharkov in 1941. But they became alarming when the Red Army began the great counter-offensive in the Caucasus and at Stalingrad, where five Rumanian divisions under General Lascar were wiped out or put out of action. In May 1943 Antonescu said the Rumanian losses were 500,000, referring apparently to killed and prisoners only. Since then the great German retreat has probably caused many more Rumanian losses. During 1943 the government's action in sending Rumanian troops beyond the old frontier was repeatedly condemned by the leaders of the opposition—Peasants and Liberals. The Minister of War answered these objections by saying, 'It is lucky for us that the war is so far away. If we had to fight so powerful an opponent on the Dniester or the Pruth, all Rumania would be ruins.' But within a year the avenging fate had not rested on the Pruth.

OPPRESSION AND EXPLOITATION. The effects of Antonescu's dictatorial regime showed themselves in all spheres of Rumanian life. Politically the country was ruled by the army generals and in all other fields by Rumanian and German big business. Military administrators replaced local government in the provinces and the towns. The Rumanian industrialists and bankers found it very profitable to work for the German war economy. Their political enemies were liquidated or driven under-ground. In the economic field their exploitation of the people and of the country's resources was only limited by Germany's interests.

Both the political and the economic life of

6: Shuster S-4 (no date) 1954 El Europe
Bulgaria EE1
Rumania E01

B
697
466

There is an austere puritanical fanaticism about the regulations which is difficult for an American, inured to doing what he pleases, to comprehend.

Virtually all potential foes of the Communist regime in Bulgaria have been sent to such camps, which means that any person who deviates in the slightest degree from the established Communist norm invites the public prosecutor to get on with incarcerating him. It is difficult to believe that the system is as far-flung and well established as it is; but the Communist authorities themselves have made available a substantial amount of information on its extent. There are at least thirty slave-labor camps in Bulgaria, and it has been estimated that at least 500,000 persons have been confined in them during the seven years of Communist rule. Among the inmates have been whole families—men, women, and children. Before we condemn the Bulgarian Churches for cowardly behavior it may be well to ask what we ourselves might have done in the circumstances.

162]

II

R
648
642
669]

Rumania was not fully subordinated to the Communist Party until the close of 1947. On the eve of the invasion of the country, which had been the only one to lend full support to the Nazi cause, young King Michael overthrew the Iron Front government and its strong man, General Antonescu, by a *coup d'état*. The new Government, in which a general also served as Premier, accepted the terms of armistice. Nevertheless by March 6, 1945, the Communists were unmistakably in control, although a fellow traveler, Dr. Petru Groza, was selected to head a government in which they had the upper hand. At the Potsdam Conference the United States, Great Britain, and Russia agreed to sign a treaty of peace with Rumania as soon as a government should be formed which was "broadly repre-

6: Shuster S-4 (no date) 1954 El Europe
Rumania EDI

sentative of all democratic elements of the population." Later, at the Moscow Conference, the Western powers declared that they would believe such a government existed as soon as representatives of two political parties other than the Rumanian Workers' Party had been named to ministerial posts, and as soon as satisfactory guarantees had been given that freedom of speech and assembly as well as the right to vote without constraint had been assured. Dr. Groza complied by appointing the two desired ministers to the Cabinet without portfolio and by announcing that free elections would be held soon; but, as was to be anticipated in view of the fact that the Russian Army held the country in an iron grip, the Rumanian Workers' Party received 90-odd per cent of the vote. The ministers without portfolio promptly resigned, and there was nothing the Western powers could do about it save to register an emphatic protest. This they did in language suitably designed for the occasion.

The elections referred to were held on November 19, 1946. Almost precisely a year later the leader of the principal opposition party, Dr. Juliu Maniu, was sentenced to life imprisonment for high treason. Unquestionably this able and farsighted man, who had served the government and the people of Rumania well over many years and had been identified with every movement for reform and justice, was the foremost of the nation's citizens. King Michael abdicated on December 30 of the same year and fled from his native land. Thereupon the "People's Republic" was proclaimed, and every source of potential opposition to it was ferreted out and suppressed. A Constitution of the usual kind was adopted on April 13, 1948. Now no obstacle barred the way for putting the Soviet paradise plan into effect. The principal productive enterprises were declared the property of the State, and this likewise became the sole arbiter of the educational system. Collective farming was introduced. A novelty was that new elections were held during

8: Armstrong S-4 (no date) 1951 EF1 Yugoslavia
Rumania EDI

000 The typical articles by Communist leaders provide statistical material appropriate to the various circumstances, but whether they are signed by Signor Togliatti, M. Duclos, President Bierut, Herr Ulbricht or Mme. Ana Pauker they employ the standard vocabulary and are of standard cut. What might be called the ceremonial articles—marking anniversaries, hailing Stalin on his divine birthday, claiming this or that achievement of science or culture for Russia—are uniformly couched in a language of such vulgarity, turgidity, repetitiousness and monotony that they almost surely must emanate from a single brain. Possibly, of course, they merely reveal a uniform barrenness of thought and poverty of expression in Communist literary circles everywhere. If not, the central brain in Bucharest seems to be exhausted after executing so many changes of direction, doubling back so often on past tracks, discovering so many old enemies to be friends and firing the old epithets against so many old friends suddenly discovered to be enemies.

As I read through copies of *For a Lasting Peace, for a People's Democracy!* for chance statements of interest or indications of shifts of emphasis in the Party line I find myself wondering what would be thought of them by some master polemicist like Bukharin, Radek or another of the old professionals with a subtle mind, a knowledge of history and a feeling for human psychology. What would they have thought of this wearying succession of hammering adjectives as a method of conveying the power and sincerity of a great revolutionary purpose to the far parts of the earth? Certainly it is a convenience for us who fight that purpose that every great pen of the Russian revolution has been stilled by time or Stalin's hangmen.

121 642 The independence which Rumania was supposed to have regained when the Red Army occupied the country in August 1944 was formally guaranteed by the Declaration on Liberated Europe adopted by Roosevelt, Stalin and Churchill at Yalta. The same instrument guaranteed the Rumanian people their domestic liberties, including the right to choose their own government. But hardly were the "Big Three" back in their capitals from the Crimea before that independence and those freedoms were clearly jeopardized by the appearance of a Communist-dominated minority government in Bucharest. The manner in which this was accomplished

8: Armstrong S-4 (no date) 1951 EF1 Yugoslavia
Rumania EDI

was as significant as the result. The Soviet Vice-Commissar of Foreign Affairs, Andrei Vyshinsky, simply flew down to Bucharest from Moscow on February 27, 1945, and gave King Michael the necessary orders. By Vyshinsky's direction the King ignored the representatives of the two largest political organizations in the country, the National Peasant Party headed by Iuliu Maniu and the National Liberal Party headed by Dinu Bratianu, and entrusted power to the man of Vyshinsky's choice, Petru Groza. The United States and Great Britain protested. Informed of the painful impression which his interference in Rumanian domestic politics had created in Western capitals, Vyshinsky commented only: "Let the sparrows twitter."

Public opinion in the West was not well informed about this development, or indeed about current developments in any of the areas which came under the occupation of the Red Army. Few Western newspapermen were on the spot in Rumania or Bulgaria, and those who were had limited means of communication. So far as American public opinion was concerned, the State Department did not consider it wise, on the eve of the San Francisco Conference, to release the reports of highhanded Soviet actions which it was receiving from those countries. The hope was that when Soviet Russia had assumed her official place in world councils she would become responsive to world opinion and begin behaving like a responsible member of international society. It was considered inadvisable to exacerbate Stalin's feelings by too violent complaints of the farce being made of his Yalta promises at the very moment he was sending Molotov, Gromyko and Sobolev to a great international conference to assume world responsibilities in an organization based on the ideals of the Atlantic Charter and the Moscow Declaration of 1943. The State Department complained about violations of the Yalta Agreement in its notes to the Soviet Government; but officials refrained from stressing their anxiety and anger in comments to the press.

Western protests mounted in urgency as time passed and the Soviet halter, far from being released, was drawn closer around the necks of states occupied by the Red Army. In Rumania, Maniu and Bratianu had refused to submit to the minority control of the Communists and their stool-pigeons. At the time, Maniu in particular was criticized in liberal circles abroad for a lack of "realism"

8: Armstrong S-4 (no date) 1951 EF1 Yugoslavia
Rumania EDI

in failing to recognize that new "progressive" forces were at work and in refusing to coöperate with them. In Hungary, Ferenc Nagy's Smallholders Party coöperated with the Communists in a coalition government, and Petkov coöperated in the Fatherland Front in Bulgaria. These were applauded as signs of superior liberalism and farsightedness. In neither case, as we have seen, was the end result satisfactory. It was not different in Rumania. The United States and British Governments made efforts to hold the governments concerned and their Soviet patrons to the terms of the Yalta Agreement. They succeeded only in revealing a distressing lack of power behind the written and verbal messages which their diplomats delivered at the respective foreign offices. To this extent it can be said that they actually damaged the native national forces which they aimed to help.

The Western Powers protested, as mentioned, against Vyshinsky's interference in Rumanian affairs and quite properly refused to recognize the Groza Government. Encouraged by this, King Michael in August 1945 appealed to the three signatories of the Yalta Agreement to help him create a "recognized democratic government." The Agreement provided that if differences arose about how democratic and representative régimes were to be created the three signatories should consult. The American and British Governments demanded that a consultation now take place about Rumania. Moscow replied that no differences existed except with regard to Rumanian domestic affairs and that therefore a consultation would be not only superfluous but highly improper. That was that. Soviet troops were in occupation of Rumania, and the Western Powers did not propose to go to war to replace Mr. Groza with Mr. Maniu. Other protests over other infringements of the Yalta undertaking were similarly rebuffed. It was right in one view to make them "for the record." The immediate result, however, was that the Western democracies lost face and non-Communist elements were weakened.

Simultaneously negotiations had been begun looking to the conclusion of peace treaties with Italy and the former Axis satellites. The peace conference opened in Paris on July 29, 1946. One staff member of the American delegation has said that the draft treaties there presented compared unfavorably with even the maligned

8: Armstrong S-4 (no date) 1951 EF1 Yugoslavia
Rumania EDI

661 electoral results a coalition government should be set up, and in this they secured the Ministry of the Interior and thus made ready to stage a coup at the opportune moment. That moment came in May 1947. Maniu's turn came in July 1947. He was arrested, the National Peasant Party was dissolved, and three months later he was put on trial before a military court presided over by Colonel Alexandru Petrescu. This officer had worn many uniforms and (as W. H. Lawrence who covered the trial for *The New York Times* recalled) had once filled the same judicial office under the pro-Nazi Antonescu dictatorship when the prisoners in the dock usually were Jews or were charged with being Communists or anti-Fascists, equally reprehensible in those days. After a two-week trial which travestied anything that we would call a judicial proceeding, Maniu was convicted and given solitary imprisonment for life. With him were sentenced Ion Mihalache, Vice President of the National Peasant Party, and other associates.

By the end of 1947 the Communists had dealt with all political rivals in Eastern Europe who had particular influence with the peasant masses. Whether the peasant leaders temporized or were rigid, collaborated or fought back, their fate was different only in degree: for some death, for some prison, for some exile.

Six weeks after Maniu was sentenced, King Michael, who had struggled to diminish his royal prerogatives to the point where they might be combined with a Communist dictatorship, and who occasionally seemed to be succeeding, was ordered to abdicate and leave the country. The Rumanian People's Republic was proclaimed December 30, 1947. No political focus of opposition was left—reactionary, bourgeois, agrarian, democratic or Socialist.

665 661 Moscow even so did not feel that the situation in Rumania was all it should be. A core of nationalist sentiment seemed to remain inside the Communist organization itself, and it was ordered cut out. The man selected to serve as an example was an old Party stalwart and cabinet member, Lucretiu Patrascanu. He had been a Communist member of Parliament in the twenties, a leader of the Communist underground during the war and head of the commission sent to Moscow to negotiate the Rumanian armistice. In the cabinets preceding Groza's he had been Minister of Justice, and Vyshin-

648, 665, 642, 433

Rumania EDl

[For the economic and political position of Rumania under Soviet control since the death of Stalin, see 85: Zinner, Rl Soviet Union, category 116, Pp. 157B-163B.]